

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. MJ 07-382  
)  
Plaintiff, )  
)  
v. )  
) DETENTION ORDER  
JOSEPH A. JIMICUM, JR., )  
)  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Aggravated Sexual Abuse (3 counts)

Date of Detention Hearing: August 17, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with an offense involving a victim under the age of 18 under 18 U.S.C. § 2241. There is therefore a rebuttable presumption against defendant as to both

01 dangerousness and flight risk, under 18 U.S.C. §3142(e).

02       2. Defendant's criminal history includes failures to appear resulting in bench warrants,  
03 as well as failures to report to serve his sentence, although the most recent of these is 1998. He  
04 is associated with an alias name and three dates of birth. His residential history is sporadic, he is  
05 unemployed, and has a history of controlled substance abuse. Despite the efforts of Pretrial  
06 Services, an adequate residential placement was not able to be identified that would satisfy the risk  
07 of danger to other persons and to the community.

08       3. Taken as a whole, the record does not effectively rebut the presumption that no  
09 condition or combination of conditions will reasonably assure the appearance of the defendant as  
10 required and the safety of the community.

11 It is therefore ORDERED:

12       (1) Defendant shall be detained pending trial and committed to the custody of the  
13 Attorney General for confinement in a correction facility separate, to the extent  
14 practicable, from persons awaiting or serving sentences or being held in custody  
15 pending appeal;

16       (2) Defendant shall be afforded reasonable opportunity for private consultation with  
17 counsel;

18       (3) On order of a court of the United States or on request of an attorney for the  
19 Government, the person in charge of the corrections facility in which defendant is  
20 confined shall deliver the defendant to a United States Marshal for the purpose of  
21 an appearance in connection with a court proceeding; and

22       (4) The clerk shall direct copies of this Order to counsel for the United States, to

01 counsel for the defendant, to the United States Marshal, and to the United States  
02 Pretrial Services Officer.

03 DATED this 17th day of August, 2007.

04 

05 Mary Alice Theiler  
06 United States Magistrate Judge